

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

TONIA V POLLARD

Debtor

Chapter 13

Case No. 19-11892-KHK

**MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION**

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Pursuant to 11 U.S.C. §1307(c)(6) - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements. Debtor is to be making Plan payments of \$551.00 per month and has only been making partial Plan payments.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Notice and Motion to Dismiss

Tonia V Pollard, Case #19-11892-KHK

Attend the hearing to be held on June 11, 2020 at 1:30 p.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste.400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: May 18, 2020

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 18th day of May, 2020, served via ECF to authorized users or mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Tonia V Pollard
Chapter 13 Debtor
15184 Cloverdale Road
Woodbridge, VA 22193

John C. Morgan, Jr., Esquire
Attorney for Debtor
New Day Legal, PLLC
98 Alexandria Pike, Ste. 10
Warrenton, VA 20186

/s/ Thomas P. Gorman
Thomas P. Gorman

CASE NO: 19-11892-KHK

STATUS: ACTIVE

DEBTOR: XXX-XX-7681

POLLARD, TONIA V

AKA:

SCHEDULE: 551.00 MONTHLY

TOTAL PAID: 4,354.96

DATE FILED: 06/07/2019 15184 CLOVERDALE ROAD

CONFIRMED: 10/22/2019 WOODBRIDGE, VA 22193

LATEST 341: 07/09/2019

PERCENTAGE: 100.000

ATTORNEY: NEW DAY LEGAL, PLLC

NEW DAY LEGAL, PLLC

98 ALEXANDRIA PIKE, STE. 10

WARRENTON, VA 20186

Phone: 540 349-3232 Fax: 540 349-1278

PLAN: 60 MONTHS

1st PAYMENT DUE: 07/2019

ON SCHEDULE: 5,471.00

ACTUAL PAYMENTS: 4,354.96

AMOUNT BEHIND: 1,116.04

LAST 12 TRANSACTIONS

Date	Source	Amount
05/14/20	BANKERS LIFE AND C	81.00
05/11/20	BANKERS LIFE AND C	137.75
05/01/20	BANKERS LIFE AND C	137.75
04/20/20	BANKERS LIFE AND C	35.26
03/27/20	BANKERS LIFE AND C	19.70
03/17/20	BANKERS LIFE AND C	57.75
03/13/20	BANKERS LIFE AND C	115.18
03/09/20	BANKERS LIFE AND C	137.75
03/03/20	BANKERS LIFE AND C	137.75
02/24/20	BANKERS LIFE AND C	137.75
02/18/20	BANKERS LIFE AND C	137.75
02/07/20	BANKERS LIFE AND C	36.89
02/03/20	BANKERS LIFE AND C	137.75
01/21/20	BANKERS LIFE AND C	137.75

DIRECT PAY

CLAIM	CRED NO	CREDITOR NAME	DISB CODE	CLASS	ARREARS	FIXED PAYMENT	SCHED AMOUNT	PAID BY TRUSTEE	BALANCE DUE	CLAIM STATUS
003	309941	PENTAGON FEDERAL CREDIT UNION	PRO	SEC	0.00	0.00	0.00	0.00	0.00	DIRECT

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME CLAIM REMARK	DISB CODE LAST DISB	CLASS PAY%	INT. BEGIN INT. RATE	FIX PAY ARREARS	ORG. CLAIM SCHED AMT	APPROVED TO BE PAID	PRIN. PAID INT. PAID	PRIN. DUE INT. DUE
001	340128	SPECIALIZED LOAN SERVICING LLC	FIX	SEC 100.00		476.68 4,766.80	25,264.13 25,264.13	25,264.13 25,264.13	0.00 0.00	25,264.13 0.00
002	347157	CLOVERDALE OVERLOOK HOA ***NO CLAIM FILED****	FIX-A	SEC 100.00	06/07/2019 3.0000	25.00 275.00	1,000.00 1,000.00	1,000.00 1,000.00	0.00 0.00	1,000.00 29.50
004	348422	ARIS	PRO	UNS 100.00		0.00 0.00	0.00 400.00	0.00 0.00	0.00 0.00	Not Filed
005	349876	VERIZON BY AMERICAN INFOSOURCE UNLISTED	PRO-A	UNS 100.00		0.00 0.00	87.55 0.00	87.55 87.55	0.00 0.00	87.55 0.00
799	MORGAN	NEW DAY LEGAL, PLLC	PRO 03/2020	ATY 100.00		0.00 0.00	5,296.00 5,296.00	3,610.00 3,610.00	3,610.00 0.00	0.00 0.00
Trustee Administrative Fees								230.56	230.56	
TOTALS:						501.68 5,041.80	31,647.68 31,960.13	30,192.24 30,192.24	3,840.56 0.00	26,351.68 29.50

	ADMIN	ATTORNEY	PRIORITY	SECURED	UNSECURED	OTHER		
SCHED AMOUNT:	0.00	5,296.00	0.00	26,264.13	400.00	0.00		
CLAIM AMOUNT:	0.00	3,610.00	0.00	26,264.13	87.55	0.00		
PAID BY TRUSTEE:	0.00	3,610.00	0.00	0.00	0.00	0.00		
PAID BY 3rd PARTY:	0.00	0.00	0.00	0.00	0.00	0.00		
SUB TOTAL:	0.00	0.00	0.00	26,264.13	87.55	0.00	DUE CREDITORS:	26,381.18
INTEREST DUE:	0.00	0.00	0.00	29.50	0.00	0.00	EXPECTED ADMIN:	2,874.09
CONTINUING:	0.00	0.00	0.00	0.00	0.00	0.00	LESS AVAILABLE:	514.40
BALANCE DUE:	0.00	0.00	0.00	26,293.63	87.55	0.00	APPROX BALANCE:	28,740.87

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

Case Power® 12.1